

Department of Forestry & Fire Protection Office of the State Fire Marshal

## WILDLAND-URBAN INTERFACE BUILDING STANDARDS INFORMATION BULLETIN

September 28, 2007\_kr

REVISED EFFECTIVE DATE OF ENFORCEMENT FOR WILDLAND-URBAN INTERFACE BUILDING STANDARDS IN LOCAL RESPONSIBILITY AREAS WITH VERY HIGH FIRE HAZARD SEVERITY ZONES

The purpose of this Information Bulletin is to advise local code enforcement agencies and interested parties of a code adoption or change.

On September 20, 2007, the California Building Standards Commission approved the Office of the State Fire Marshal's emergency regulations amending the following section of the California Code of Regulations (CCR), Title 24, Part 2, known as the 2007 California Building Code (CBC).

- 701A.3.2 New Buildings Located in Any Fire Hazard Severity Zone. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, any Local Agency Very-High Fire Hazard Severity Zone, or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter. New buildings located in any Fire Hazard Severity Zone shall comply with one of the following:
  - 1. State Responsibility Areas. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter.
  - 2. Local Agency Very-High Fire Hazard Severity Zone. New buildings located in any Local Agency Very-High Fire Hazard Severity Zone for which an application for a building permit is submitted on or after July 1, 2008, shall comply with all sections of this chapter.
  - 3. Wildland-Urban Interface Fire Area designated by the enforcing agency. New buildings located in any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter.

The broad objective of the Wildland-Urban Interface Fire Area Building Standards are to establish minimum standards for materials and material assemblies and provide a reasonable level of exterior wildfire exposure protection for buildings in Wildland-Urban Interface Fire Areas. The use of ignition resistant materials and design to resist the intrusion of flame or burning embers projected by a vegetation fire (wildfire exposure) will prove to be the most prudent effort California has made to try and mitigate the losses resulting from our repeating cycle of interface fire disasters.

The California Department of Forestry and Fire Protection (CAL FIRE) and the Office of the State Fire Marshal (OSFM) revised the mandatory effective date for those areas where local government has responsibility for wildland fire protection (LRA) to July 1, 2008 for the following reasons:

CAL FIRE, is conducting a review and update of fire hazard severity zones pursuant to Public Resources Code Sections 4201 – 4204 and Government Code Sections 51175 – 51189. CAL FIRE completed the initial public hearings for the adoption of Fire Hazard Severity Zones (FHSZ) for those areas of California where the state has fiscal responsibility for wildland fire protection, known as State Responsibility Areas (SRA). CAL FIRE's intent is to complete the SRA FHSZ adoption by December, 2007. CAL FIRE is preparing recommendations for Very High Fire Hazard Severity Zones (VHFHSZ) in those areas where local government has responsibility for wildland fire protection (LRA) and transmit those recommendations to local agencies in early 2008.

During the fire hazard severity zone hearing for SRA, several local government officials asked for clarification of authorities and responsibilities associated with the adoption of these LRA VHFHSZ recommendations. Basic authorities and responsibilities for the LRA VHFHSZ are found in Government Code Sections 51175 – 51189. The purpose of this Government Code chapter is to classify lands in accordance with whether a very high fire hazard severity is present so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

The Government Code chapter defines responsibilities for CAL FIRE and for the local agency. In summary, Section 51178 and 51181 defines the CAL FIRE Director's responsibility to identify very high fire hazard severity zones, transmit this information to local agencies, and to periodically review the recommendations. In part, Section 51178.5 and 51179 defines the local agency's responsibility to make the recommendation available for public review and to designate, by ordinance, very high fire hazard severity zones in its jurisdiction.

CAL FIRE is taking additional steps to ensure that the recommended very high fire hazard severity zones are as accurate as possible. Draft copies of the proposed VHFHSZ have been under field review and validation since January, 2007. An updated draft LRA recommendation will me made available in early fall, 2007. This update will also reflect the comments received during the SRA FHSZ public hearings that may impact LRA zones. Unit level CAL FIRE staff have been instructed to assist local agencies in the review of the draft recommendations.

In addition to the very high fire hazard severity maps, CAL FIRE has mapped high and moderate fire hazard severity areas. This additional information will be made available to local agencies as part of the draft data and then upon request subsequent to the Director's recommendation. The California Constitution grants basic authority for local agencies to adopt ordinances. This constitutional authority can be used to adopt high and/or moderate fire hazard severity areas or other wildland urban interface areas within the local jurisdiction.

CAL FIRE is developing a CCR Title 14 regulation to clarify an update and maintenance process for the fire hazard maps, both in the SRA and in the LRA. It is anticipated that this regulation will include update triggers initiated by CAL FIRE or by local agencies. Such triggers may be based on improvements in hazard mapping data or associated fire science, changes in land ownership (specifically conversions of federal land to private ownership), changes in land use of significant size to influence fire hazard, changes in wildland fire protection responsibility, or other significant factors.

CAL FIRE is developing a model ordinance for the adoption of the very high fire hazard zones. This model ordinance will include optional sections for the adoption of other fire hazard severity zones.

The VHFHSZ maps define where to implement ignition resistant building standards, maintain defensible space, and disclose natural hazard at the time of sale. Health and Safety Code 13108.5 (c) and GC 51179 (b) provide insight on flexibility local agencies may have to exclude the fire protection building standards and defensible space requirements once VHFHSZs are adopted. While these sections of law do not provide exemptions for adopting the maps, they may provide authority to exclude fire protection requirements otherwise triggered by the map designations.

During this delayed period CAL FIRE and the OSFM will be providing training and education to enforcing agencies, public, design professionals and building industry. These interested parties will also become educated on how to identify and work comfortably with performance based construction alternatives in their communities.

The regulations contained in CBC Chapter 7A will not be mandatory in SRA FHSZ until January 1, 2008 and July 1, 2008 for LRA FHSZ, but voluntary and there will be a higher understanding that any new building constructed in a Wildland-Urban Interface Fire Area will be designed and constructed with the intent of lessening the vulnerability of a building to resist the intrusion of flames and burning embers projected during a conflagration or wildfire.

After consulting with the Director of CAL FIRE and key stakeholders both internally and externally, OSFM has concluded that this appropriate action to take to keep us on schedule with the Fire Hazard Severity Zone Map rollout and provide enough time for developers, builders, and building officials to know where and how the codes apply.

This will not change any project timelines; it merely lets those jurisdictions that are ready to adopt locally on January 1, 2008 to do so and the other jurisdictions have adequate time to prepare and adopt the FHSZ maps after they are finalized and published.

Questions and information regarding this Information Bulletin should be directed to the local Unit Chief. Please visit the CAL FIRE web site at <a href="https://www.fire.ca.gov">www.fire.ca.gov</a> for contact information.